

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN CALENDINE,

Defendant.

No. CR15-5046BHS

STIPULATION AND ORDER TO CONTINUE
TRIAL DATE AND PRETRIAL DEADLINES

THIS MATTER comes before the court on Stipulation of Defendant John Calendine and the United States of America for a Continuance of the Trial date from March 31, 2015 to June 23, 2015 as well as the pretrial deadlines. Mr. Calendine seeks this continuance in order to allow his counsel additional time to review discovery, investigate the government's allegations and to engage in negotiations in the hope of resolving the case without the necessity of a trial. Mr. Calendine has filed a Waiver of Speedy Trial through July 7, 2015. The court has considered the reasons for the motion, any response by the United States, and the files herein.

The court finds that the defendant's need for additional time to prepare his defense and to conduct negotiations for resolution is reasonable. Based on these findings, the court concludes that the continuance of the trial date sought by the parties serves the ends of justice. Further, a continuance of this matter from March 31, 2015 to June 23, 2015 outweighs the best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A). Proceeding to trial absent adequate time for the defense to prepare

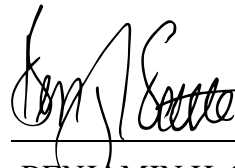
1 would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(I). The defense needs
2 additional time to review discovery and conduct negotiations, which are not possible within the
3 time limits established by the Speedy Trial Act and as currently set for this case. 18 U.S.C. §
4 3161(h)(8)(B)(ii). Taking account the exercise of due diligence, a continuance is necessary to
5 allow the defendant the reasonable time for effective preparation for his defense. 18 U.S.C. §
6 3161(h)(8)(B)(iv).
7

8 Therefore, it is hereby

9 ORDERED that the Parties' Stipulated Motion to Continue the Trial Date and Pretrial
10 Dates is GRANTED. The Trial Date is continued from March 31, 2015 to June 23, 2015. The
11 Pretrial Motions Deadline is May 14, 2015, and the Pretrial Conference is June 15, 2015, at
12 2:30 p.m.
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14 DATED this 13th day of March, 2015.

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BENJAMIN H. SETTLE
United States District Judge

Presented by:

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